

**EMERYVILLE CITY PLANNING COMMISSION
ACTION RECAP
REGULAR MEETING
OCTOBER 28, 2010**

I. CONVENE, ROLL CALL, AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 6:30 p.m. by Chair Frank Flores. Commissioners present: Lawrence Cardoza, Gail Donaldson, John Scheuerman, Vanessa Kuemmerle, Frank Flores, Steven Steinberg and Arthur Hoff.

II. PUBLIC COMMENT - None

III. ACTION RECAPS

Regular meeting of September 23, 2010

Motion: To approve action recap of September 23.

Moved: Cardoza
Seconded: Flores
Vote: Ayes: Cardoza, Donaldson, Scheuerman, Kuemmerle, Flores, Steinberg
Abstained: Hoff

Special meeting of October 9, 2010

Motion: To approve action recaps of October 9.

Moved: Cardoza
Seconded: Donaldson
Vote: Ayes: Cardoza, Donaldson, Scheuerman, Kuemmerle, Flores, Steinberg
Hoff

The Commissioners had requested some attention be given to how the Commission responds to Study Session items that are brought before them. Chair Flores said there was good dialogue regarding this issue at the October 9 special meeting.

IV. DIRECTOR'S REPORT

Director Bryant reported on recent actions of the City Council/Redevelopment Agency. On October 5, the City Council passed an ordinance that was introduced on September 21 amending the Interim Zoning Regulations pertaining to the "Doyle Hollis North Area" bounded by 62nd, Hollis, 64th, and Doyle Streets to allow a broader range of uses consistent with the existing regulations for the OT Office/Technology Zone. The Council approved a noise waiver for Bayer to allow painting the east wall of a building along Spur Alley on three Saturdays between October 9 and 23. The Council approved the Mayor signing a letter to BCDC asking them to postpone adoption of proposed Bay Plan amendments related to sea level rise because of uncertainty about their implications and the need for more public input.

On October 19, the Council heard the appeal of the neighbors to the Planning Commission's August 26 approval of the IKEA Warehouse and voted unanimously to uphold the appeal and overturn the Commission's approval; this will be memorialized in a resolution to be passed at the November 2 Council meeting. The Council approved the Final Development Plan and the Agency approved the Owner Participation Agreement for the 64th and Christie Residential Project. In approving the FDP, the Council directed that corrugated metal siding be removed, and the Planning Director was directed to tell the Commission that the Council does not want to see any more buildings with corrugated metal siding. The City Attorney led a discussion of sign

regulations and legal implications; this was in relation to a desire for signage by the farmers market. The item was continued to the next meeting.

As previously reported, the Council saw a PowerPoint presentation by MIG on the attributes of family friendly housing at their September 21 meeting. The same show was previously shown to the Housing Committee. It has been suggested that it would be helpful for the Commission to also see this presentation. This will be scheduled for a future meeting.

Staff continues to work diligently on the new Zoning Ordinance, including a new zoning map, a list of the new zones, a list of the new use classifications, a matrix indicated what uses would be permitted or conditionally permitted in each zone, administrative procedures, and other provisions. The next meeting of the Zoning Update Steering Committee will be on December 14, at which a status report on this ongoing activity will be presented.

Director Bryant noted that the Planning Commission also serves as the City's Housing Advisory and Appeals Board, to hear matters related to code enforcement. This Board has not met for many years, but there is now an issue that requires its attention. Since the December 9 Commission meeting has a full agenda, Director Bryant proposed a special meeting on December 2 or 16. The Commissioners indicated that they preferred December 2. [It was subsequently decided to hold the Board meeting concurrently with the Commission's January 27, 2011 meeting.]

- A. **Planning Commission Schedule.** Consideration of Planning Commission meeting schedule for 2011.

The schedule was approved by consensus.

V. STUDY SESSION

- A. **Powell Street Urban Design Plan** – A Study Session for a streetscape design plan for Powell Street, between Christie Avenue and Frontage Road. The plan will address improvements for pedestrians, bicyclists and pedestrians, while also improving the overall aesthetics for the area within the context of needed improvements for vehicular traffic.

Michelle DeGuzman, Community and Economic Development Coordinator in the Economic Development and Housing Department, made the staff presentation and introduced John Gibbs of WRT who made a PowerPoint presentation. After the presentation, he asked for comments and suggestions for refining the plan.

The public hearing was opened. There was no one wishing to speak. The public hearing was closed.

The Commissioners expressed their approval of the conceptual drawings and stated the designers have done an excellent job. It was noted that the widening of Powell Street will accommodate alternate modes of transportation, including pedestrians, bicyclists, and transit; the number of car lanes will remain the same.

VI. PUBLIC HEARINGS

- A. **Bakery Lofts, Phase IV (UP06-15; DR06-16; VAR07-03)** – Request for a two-year extension of a Conditional Use Permit, Design Review and parking variance for construction of 16 for-rent units, 2 live-work/flex units and a 1,450 square foot café on a 12,339 square foot parcel. CEQA Status: This project is exempt from environmental review under State CEQA Guidelines Section 15332, which applies to urban infill development. General Plan and Zoning Classification: Mixed Use with Residential (MUR). (Applicant: Madison Park Financial Corporation) (Owner: B-3 Lofts, LLC) (APN: 49-1173-3). The project was approved by the Planning Commission on September 27, 2007, a first one-year extension was approved on January 20, 2009, and a second one-year extension was approved on December 10, 2009.

Chair Flores was recused due to a possible conflict of interest. Vice Chair Cardoza presided for this item.

Miroo Desai, Senior Planner, presented the staff report, with staff's recommendation for approval of the application.

Applicant, John Protopappas, thanked the staff for their assistance with this project. He stated he was very excited about moving forward with this project.

The public hearing was opened. There was no one wishing to speak. The public hearing was closed.

A motion was made to approve the request for a two-year extension of the Bakery Lofts project.

Moved: Hoff
Seconded: Scheuerman
Vote: Ayes: Hoff, Scheuerman, Donaldson, Kuemmerle, Cardoza, Steinberg
Recused: Flores

- B. Design Guidelines** – Consideration of the adoption of Citywide Design Guidelines to implement the goals, policies, and actions of the General Plan, and to be used as the basis for Design Review under the Zoning Ordinance. CEQA Status: Environmental Impact Report for General Plan certified by City Council on October 13, 2009. (Continued from July 22, 2010 meeting.)

Deborah Diamond, General Plan Project Manager, made the staff presentation. Staff recommended the Commission approve the Guidelines and forward to the City Council for adoption.

Jeannie Eisberg of Dyett & Bhatia reviewed the revisions that were made to the Guidelines in response to Commission comments at the July 22 meeting.

The public hearing was opened. There was no one wishing to speak. The public hearing was closed.

Commissioner Kuemmerle said, where appropriate, sections on site planning and building massing should address the transition between areas of differing heights and intensity.

Motion: To approve the Design Guidelines with recommendation to the City Council for adoption.

Moved: Donaldson
Seconded: Kuemmerle
Vote: Ayes: Donaldson, Kuemmerle, Cardoza, Flores, Steinberg, Hoff, Scheuerman

- C. 64th and Christie Residential Building Development Agreement** – Consideration of a Development Agreement for a 190-unit, 5-story residential building located at the southeast corner of 64th Street and Christie Avenue. This building is part of Phase I of the Marketplace Redevelopment Project Planned Unit Development (PUD) that was approved by the City Council on August 5, 2008. CEQA Status: Environmental Impact Report for Marketplace Redevelopment Project PUD certified by City Council on January 15, 2008. General Plan Designation: Mixed Use with Residential; Zoning Designation: Planned Unit Development (PUD) Mixed Use. (Applicant: TMG Partners) (Owner: Rockwood Christie LLC) (APN: 49-1492-6-1; 49-1492-8)

This item was continued to the December 9, 2010 meeting.

VII. COMMISSIONERS COMMENTS

Commissioner Hoff wanted to know when to expect the completion of the Zoning Ordinance. Director Bryant said hopefully by the first half of next year.

Commissioner Donaldson wanted to know when ethics training for the Commission would take place. Director Bryant said he was not sure of the time, but would discuss it with the City Clerk. Assistant City Attorney, Michael Guina, said he will send out e-mail information when a time has been decided. Director Bryant said it has to be by the end of the year, so it has to take place at the December 9 meeting or it could be done online individually. Director Bryant reminded the Commissioners that the City Clerk had recently e-mailed them instructions for how to do it on-line. The Commissioners expressed a desire to do it individually on-line rather than to schedule a special meeting.

VIII. ADJOURNMENT – Meeting adjourned at 8:40 p.m.

THE NEXT SCHEDULED MEETING WILL BE HELD ON THURSDAY, DECEMBER 9, 2010 AT 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 1333 PARK AVENUE, EMERYVILLE, CA 94608